

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
ASSEMBLY BILL NO. 3308
(Second Reprint)

February 22, 2011

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3308 (Second Reprint) with my recommendations for reconsideration.

This legislation would require the New Jersey Economic Development Authority to administer a State contract set-aside program for businesses owned and operated by veterans. Specifically, this legislation would establish a goal for the State and agencies of the State to award at least 3 percent of their contracts to veteran-owned businesses.

I commend the sponsors for their efforts to increase economic opportunities for veterans who have honorably served our State and our Nation. My administration remains committed to ensuring that veterans continue to play a key role in all aspects of New Jersey's growth and expansion, with particular emphasis on adding veterans to New Jersey's economic recovery. While I support the sponsors' intent of expanding some opportunities for veterans, I am concerned that this bill does not sufficiently address the needs of all veteran-owned businesses in New Jersey. Rather than limiting veterans to narrow segments of our economy, the State should encourage robust participation of veteran-owned businesses throughout all aspects of the State's contracting choices.

Therefore, I am returning this legislation with my recommendations that would create a comprehensive system of direct veteran participation in State purchasing and procurement. These recommendations will create a new system of collaboration between veteran-owned businesses, the New Jersey Department of the Treasury, the New Jersey Economic Development

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Authority and the New Jersey Department of Military and Veterans Affairs. Together, these Departments and agencies will have responsibility for enhanced outreach initiatives, developing strategies to expand the number of veteran-owned businesses eligible to benefit from State contracting, and a review of policies, practices, and services that will further the State's commitment to our veterans.

Accordingly, I herewith return Assembly Bill No. 3308 (Second Reprint) and recommend that it be amended as follows:

Page 2, Title, Lines 1-2: Delete "the designation of certain State purchase and construction contracts as set-asides for"

Page 2, Section 1, Lines 9: Delete "Set-Aside" and insert "Veteran-Owned Business Assistance"

Page 2, Section 1, Line 10: Delete "for Veteran-Owned Businesses"

Page 2, Section 2, Line 16: After "of the State." insert "Department" means the New Jersey Department of the Treasury."

Page 2, Section 2, Lines 26-29: Delete in their entirety

Page 2, Section 3, Line 31: Delete "Economic Development Authority" and insert "Department of the Treasury"

Page 2, Section 3, Line 32: Delete "administer a" and insert "encourage"

Page 2, Section 3, Lines 32-33: Delete "business set-aside program which shall be in addition to any other set-aside program established by law" and insert "businesses to participate in State procurement and contracting"

Page 2, Section 4, Lines 35-44: Delete in their entirety

Page 3, Section 4, Lines 1-8: Delete in their entirety

Page 3, Section 5, Line 10: Delete "5. a." and insert "4."

Page 3, Section 5, Line 10: Delete "are" and insert "is"

Page 3, Section 5, Line 10: Delete "goals" and insert "goal"

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Page 3, Section 5, Line 11:

Delete "award at least 3% of their contracts to veteran-owned businesses" and insert "give due consideration to veteran-owned businesses in awarding contracts"

Page 3, Section 5, Line 12:

Delete "These" and insert "This"

Page 3, Section 5, Line 12:

Delete "goals" and insert "goal"

Page 3, Section 5, Line 12:

Delete ", when appropriate,"

Page 3, Section 5, Line 12:

Delete "direct"

Page 3, Section 5, Lines 13-20:

Delete in their entirety and insert "department's monitoring of policies, practices, and programs in consultation with the authority and the New Jersey Department of Military and Veterans Affairs that will further the State's efforts in encouraging opportunities for veteran-owned businesses in State purchasing and procurement processes. In addition, the department, in consultation with the authority and the New Jersey Department of Military and Veterans Affairs shall identify strategies to expand the number of veteran-owned businesses interested in and eligible to benefit from State procurement activity."

Page 3, Section 6, Lines 22-25:

Delete in their entirety

Page 3, Section 7, Lines 27-43:

Delete in their entirety

Page 3, Section 8, Lines 45-48:

Delete in their entirety

Page 4, Section 8, Lines 1-18:

Delete in their entirety

Page 4, Section 9, Lines 20-29:

Delete in their entirety

Page 4, Section 10, Lines 31-46:

Delete in their entirety

Page 4, Section 11, Line 48:

Delete "11." and insert "5."

Page 5, Section 11, Line 1:

Before "according" delete "authority" and insert "department"; and after "by the" delete "authority" and insert "department"

Page 5, Section 11, Lines 4-7:

Delete ", including a separate accounting of any set-aside contracts, and the percentage of the total State procurements by the contracting agency that the figure of total dollar value

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and the number of set-asides
reflect"

Page 5, Section 11, Line 8:

Delete "set-aside"

Page 5, Section 11, Line 11:

Delete "authority" and insert
"department"

Page 5, Section 12, Lines 18-20:

Delete in their entirety

Page 5, Section 13, Line 22:

Delete "13." and insert "6."

Page 5, Section 13, Line 22:

Delete "authority" and insert
"department"

Page 5, Section 13, Line 23:

Delete "contracting industry"
and insert "vendor community"

Page 5, Section 14, Lines 27-48:

Delete in their entirety

Page 6, Section 15, Line 1:

Delete "15." and insert "7."

Respectfully,

/s/ Chris Christie

Governor

[seal]

Attest:

/s/ Jeffrey S. Chiesa

Chief Counsel to the Governor